

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

JOSEPH FLORIO,

Plaintiff,

vs.

SIERRA PACIFIC MORTGAGE CO., INC. et  
al.,

Defendants.

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3:10-cv-00524-RCJ-RAM

**ORDER**

This is a standard foreclosure case involving one property. The Complaint is a MERS-conspiracy-type complaint listing eleven causes of action. The case is not a part of Case No. 2:09-md-02119 in the District of Arizona, but MERS has filed a Notice of Tag-Along Actions with the Judicial Panel on Multidistrict Litigation that includes the present case. (*See* Notice, Sept. 10, 2010, ECF No. 16).

The Court previously denied a motion to remand and granted two motions to dismiss in part, dismissing all claims except the claim for injunctive relief due to statutorily defective foreclosure. The Court ordered mediation and interim monthly payments. Defendants have moved to dismiss for failure to comply with the Court's order because Plaintiff has made no payments. Plaintiff has not timely responded, and there is no indication of timely interim payments in the record.

**CONCLUSION**

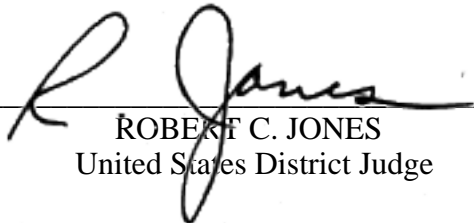
IT IS HEREBY ORDERED that the Motion to Dismiss (ECF No. 43) is GRANTED.

IT IS FURTHER ORDERED that any lis pendens on the Property located at 4090 Royal Sage Dr., Reno, NV 89503 arising out of this lawsuit is EXPUNGED.

IT IS FURTHER ORDERED that the Clerk shall enter judgment and close the case accordingly.

IT IS SO ORDERED.

Dated this 2nd day of August, 2011.

  
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ROBERT C. JONES  
United States District Judge